

**The Federal Judicial Center**  
**Presents a**  
**Phase I Orientation Seminar for**  
**Newly Appointed District Judges**

\* \* \*

**Honorable Barbara J. Rothstein**  
Director, Federal Judicial Center  
Washington, DC

**John S. Cooke**  
Director, Judicial Education Division  
Federal Judicial Center  
Washington, DC

**Mary T. Kelley**  
Senior Judicial Education Attorney  
Judicial Education Division  
Federal Judicial Center  
Washington, DC

## **FJC Committee on District Judge Education**

**Honorable Charles N. Clevert, Chair**  
Eastern District of Wisconsin

**Honorable Garrett E. Brown, Jr.**  
District of New Jersey

**Honorable Robert J. Bryan**  
Western District of Washington

**Honorable W. Royal Furgeson, Jr.**  
Western District of Texas

**Honorable Paul A. Magnuson**  
District of Minnesota

**Honorable Sarah S. Vance**  
Eastern District of Louisiana

**Honorable Kathryn H. Vratil**  
District of Kansas

**Robert T. Haar, Esq.**  
St. Louis, Missouri

**George F. Pappas, Esq.**  
Baltimore, Maryland

**Margaret A. Irving, Esq., *ex officio***  
Chief, Article III Judges Division  
Administrative Office of the U.S. Courts

***Monday, February 9, 2004***  
***Bay Room***

**8:30 Greetings and Introductions**

**John S. Cooke**  
Director  
Judicial Education Division  
Federal Judicial Center

Moderators  
**Honorable D. Brock Hornby**  
District of Maine

**Honorable Anne E. Thompson**  
District of New Jersey

**8:45 A Word of Welcome to the Federal Judicial  
System – Video**

**Honorable William H. Rehnquist**  
Chief Justice  
United States Supreme Court

**Honorable Barbara J. Rothstein**  
Director, Federal Judicial Center  
U.S. District Judge, Western District of Washington

**9:00 Case Management and Civil Pretrial  
Procedure – Video**

**Honorable Rya W. Zobel**  
District of Massachusetts

**9:30 Discussion: Judges Hornby and Thompson**

**10:15 Intermission**

**10:30 The Civil Trial – Video**

**Honorable Ann C. Williams**  
U.S. Court of Appeals for the Seventh Circuit

11:15    **Discussion: Judges Hornby and Thompson**

12:00    **Luncheon Intermission**

1:30    **Criminal Pretrial Proceedings – Video:**

Arraignment; appointment of counsel; conflicts of interest in co-defendant cases; *pro se* representation; bail; detention; scheduling and case management; discovery; disclosure of informants; *Brady* material; pretrial conference; stipulations; exhibit lists; Jencks Act statements; motions practice; exclusionary rule; suppression motions; severance motions; plea bargaining; guilty pleas; etc.

**Honorable Terry J. Hatter, Jr.**

Central District of California

**Honorable Michael M. Mihm**

Central District of Illinois

2:45    **Discussion: Judges Hornby and Thompson**

4:00    **Adjournment**

6:00    **Reception – *Mezzanine***

6:30    **Dinner – *Mezzanine***

***Tuesday, February 10, 2004***

***Bay Room***

- 8:30    **Sentencing and Other Criminal Post-Trial Matters – Lecture:** Sentencing Reform and Guideline Sentencing; the Presentence Investigation Process and Report; Plea Agreements and Stipulations.

Lecturers

**L. Russell (Rusty) Burress**

Principal Advisor, U.S. Sentencing Commission

**Pamela G. Montgomery**

Director and Chief Counsel

Office of Education and Sentencing Practice

U.S. Sentencing Commission

Comments

**Judges Hornby and Thompson**

- 10:00    **Intermission**

- 10:15    **Guideline Sentencing – Lecture:** Resolution of Disputed Sentencing Factors; Appellate Review. Guidelines Application: Determining the Offense Level.

Lecturers

**Ms. Montgomery and Mr. Burress**

Comments

**Judges Hornby and Thompson**

- 11:45    **Intermission**

- 12:00    **Catered Luncheon – Presentation on Judicial Compensation and Benefits**

***Ocean Room***

**Carol S. Sefren**

Assistant Deputy Division Chief, Judges Compensation and

Benefits Branch, Article III Judges Division

Administrative Office of the U.S. Courts



- 1:30 **Intermission**
- 1:45 **Criminal Trial Procedure-Video:** Preliminary charge; exclusion of witnesses; taking of notes by jurors; opening statements; direct examination; scope of cross-examination; bench conferences; rebuttal evidence; exclusion of public from courtroom; handling pleas of guilty by one defendant during trial; cautionary instructions to jury; questioning of witnesses by judge; instructions to jurors prior to recesses; final arguments; jury instructions; jury related problems; verdicts.
- Honorable Maryanne T. Barry**  
U.S. Court of Appeals for the Third Circuit
- 2:45 **Discussion: Judges Hornby and Thompson**
- 3:30 **Intermission**
- 3:45 **Preserving the Trust: Ethics and Federal Judges**
- Honorable William L. Osteen, Sr.**  
Middle District of North Carolina  
Chair, Judicial Conference Committee on  
Codes of Conduct
- 5:00 **Adjournment**

***Wednesday, February 11, 2004***

***Bay Room***

8:30 **Guideline Sentencing – Lecture:** Guidelines  
Application: Relevant Conduct.

Lecturers

**Ms. Montgomery and Mr. Burress**

Comments

**Judges Hornby and Thompson**

10:00 **Intermission**

10:15 **Guideline Sentencing – Lecture:** Guidelines  
Application: Determining Criminal History Category;  
“Overrides,” including Career Offender.

Lecturers

**Ms. Montgomery and Mr. Burress**

Comments

**Judges Hornby and Thompson**

11:45 **Luncheon Intermission**

1:15 **Guideline Sentencing – Lecture:** Guidelines  
Application: Sentencing Options; Fines; Restitution;  
Ex Post Facto; “Safety Valve,” and Substantial  
Assistance.

Lecturers

**Ms. Montgomery and Mr. Burress**

Comments

**Judges Hornby and Thompson**

2:45 **Intermission**



3:00    **Financial Disclosure Requirements and  
Solutions**

Presenters

**Honorable Bobby R. Baldock**

Member, Judicial Conference Committee on Financial Disclosure  
U.S. Court of Appeals for the Tenth Circuit

**George D. Reynolds**

Staff Counsel to Committee on Financial Disclosure  
Article III Judges Division  
Administrative Office of the U.S. Courts

4:00    **Adjournment**

***Thursday, February 12, 2004***  
***Bay Room***

8:30    **Guideline Sentencing—Lecture:** Guidelines  
Application: Departures.

Presenter

**Honorable William K. Sessions III**  
Vice Chair, U.S. Sentencing Commission  
Chief Judge, District of Vermont

Lecturers

**Ms. Montgomery and Mr. Burress**

Comments

**Judges Hornby and Thompson**

9:45    **Intermission**

10:00    **Guideline Sentencing—Lecture:** Guidelines  
Application: Imposing a Sentence; Statutory Penalties  
and *Apprendi*; and Post-Sentencing Matters.

Lecturers

**Ms. Montgomery and Mr. Burress**

Comments

**Judges Hornby and Thompson**

11:00    **Intermission**

11:15    **Catered Luncheon—*Ocean Room***

12:15    **Depart by bus for Terminal Island Federal  
Correctional Institution**

12:45    **Tour of Terminal Island FCI**

4:00    **Depart Terminal Island FCI**

4:30    **Arrive at Hotel and Adjourn**

***Friday, February 13, 2004***  
***Bay Room***

- 8:00    **Judicial Role/Court Governance**  
         **Discussion:** Judges Hornby and Thompson
- 9:00    **Intermission**
- 9:15    **Selected Topics Concerning the Federal Rules of Evidence**  
         **Discussion:** Judges Hornby and Thompson
- 10:15   **Intermission**
- 10:30   **Final Thoughts and Questions**  
         **Discussion:** Judges Hornby and Thompson
- 11:30   **Adjournment**